

REMARKS / DISCUSSION OF ISSUES

In response to the final Office Action mailed on March 5, 2009¹ (“Office Action”), Applicants respectfully request reconsideration. All of the issues raised in the Office Action have been carefully considered and are addressed herein. Claims 1-27 are pending in the application.

I. Rejections of Claims 1-10, 19-21, and 23-27 under 35 U.S.C. § 103

The Office action rejects claims 1-10, 19-21, and 23-27 under 35 U.S.C. 103(a) over Tomooka et al. (USP 5,909,262, hereinafter Tomooka), Kobayashi et al. (USP 4,432,610, hereinafter Kobayashi), and Suzuki et al. (USP 4,621,260, hereinafter Suzuki). Applicants respectfully traverse this rejection, at least because the combination of Tomooka, Kobayashi, and Suzuki fails to teach or suggest an amplification circuit that includes first and second voltage-dependent capacitors, and a switching arrangement that receives a first gain-control signal to change the capacitance of the first capacitor and a second gain-control signal to change the capacitance of the second capacitor, as specifically claimed in claim 1, upon which claims 2-26 depend. Claim 27 includes similar features.

The Office action admits that Tomooka fails to teach a second voltage-dependent capacitance, and relies on Kobayashi for teaching two voltage-dependent capacitors. However, neither Tomooka nor Kobashi teaches a switching arrangement that receives a second gain-control signal to change the capacitance of the second capacitor.

The Office action asserts that Suzuki teaches a switching arrangement that receives a first gain-control signal to change the capacitance of the first capacitor and a second gain-control signal to change the capacitance of the second capacitor. This is incorrect, because Suzuki does not teach voltage-dependent capacitors, and thus cannot be said to teach control signals that change the capacitance of such capacitors.

¹ The Office Action contains statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

The Office action further asserts that Suzuki's items 24 and 28 receive control signals. This is also incorrect, because Suzuki's capacitor 24 is the parasitic capacitance between the gate and drain of TFT 20, and capacitor 28 is a conventional capacitor that couples a compensating voltage Vz to capacitor 26 to compensate for the effects of the parasitic capacitance 24 on the storage of the image signal on capacitor 26. Suzuki does not teach or suggest that either capacitor 24 or 26 is voltage dependent, and does not teach or suggest that the signals applied to these capacitors are control signals that change the capacitance of these capacitors, as claimed.

The Office action asserts that because Tomooka teaches one variable capacitor, "one would conclude that the addition of another variable capacitor would work" (Office action, page 2, lines 16-18). Applicants respectfully disagree, because, as taught by Suzuki, even the slightest variation in capacitance, such as the parasitic capacitance of a thin-film transistor, will affect image quality. To assume that adding a variable capacitor to the pixels of Tomooka's display device "would work" is not consistent with conventional wisdom. Further, in *KSR Int'l. Co. v. Teleflex, Inc.*, the Supreme Court noted that the analysis supporting a rejection under 35 U.S.C. 103(a) should be made explicit, and that it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed:

"Often, it will be necessary ... to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an **apparent reason** to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis **should be made explicit.**" *KSR*, 82 USPQ2d 1385 at 1396 (emphasis added).

Applicants respectfully maintain that "one would conclude that the addition of another variable capacitor would work" does not provide a reason to add another variable capacitor, and does not provide an explicit analysis to support this conclusory statement.

The Office action asserts that one of skill in the art would be motivated to modify Tomooka and Kobayashi with the teachings of Suzuki, "because this would allow control of each capacitor separately which would improve image quality". First, Applicants note that the control of each capacitor separately is taught by the applicants, not by the prior art. Second, the asserted/assumed improvement of image quality by varying a capacitance is unfounded, and contrary to the explicit teachings of Suzuki.

Because the combination of Tomooka, Kobayashi, and Suzuki fails to teach or suggest an amplification circuit that includes first and second voltage-dependent capacitors, and a switching arrangement that receives a first gain-control signal to change the capacitance of the first capacitor and a second gain-control signal to change the capacitance of the second capacitor, and because the Examiner's basis for combining Tomooka, Kobayashi, and Suzuki in the fashion claimed by the applicants is contrary to Suzuki's express teachings, the applicants respectfully maintain that the rejection of claims 1-10, 19-21, and 23-27 under 35 U.S.C. 103(a) over Tomooka, Kobayashi, and Suzuki is unfounded, and should be withdrawn.

II. Rejections of Claims 11-18 and 22 under 35 U.S.C. § 103

The Office action rejects:

- claims 11-18 under 35 U.S.C. 103(a) over Tomooka, Kobayashi, Suzuki, and Miyake et al. (USP 6,788,108, hereinafter Miyake); and
- claim 22 under 35 U.S.C. 103(a) over Tomooka, Kobayashi, Suzuki, and Abe (USP 5,694,369). Applicants respectfully traverse this rejection.

Each of these rejected claims is dependent upon claim 1, and in these rejections, the Examiner relies on the combination of Tomooka, Kobayashi, and Suzuki for teaching the elements of claim 1. As noted above, that combination fails to teach or suggest the elements of claim 1. Accordingly, the applicants respectfully maintain that the rejections of claims 11-18 and 22 under 35 U.S.C. 103(a) that rely on the combination of Tomooka, Kobayashi, and Suzuki for teaching the elements of claim 1 are unfounded, and should be withdrawn.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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